

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

IDAHO
JAN 31 2000

In Re:

CLINTON P. HINTON
HOLLY KAY HINTON

Debtor(s)

Chapter 13
Case #99-41638
TRUSTEE'S FINDINGS
AND RECOMMENDATIONS

Trustee: L.D. Fitzgerald
Debtor's Attorney: Darren Guthrie
Date of Hearing: January 31, 2000

Trustee's Findings and Recommendations

- _____ (1) The plan complies with the requirements of Chapter 13 Title 11 USC.
- _____ (2) Required fees have been paid.
- _____ (3) Plan is proposed in good faith.
- _____ (4) Value of the property to be distributed to unsecured creditors is \$ _____. The amount that would be paid to unsecured creditors in a Chapter 7 is \$ _____.
- _____ (5) Section 1325(a)(5) of the Bankruptcy Code is satisfied.
- _____ (6) Debtor will be able to make payments and comply with the Plan.
- _____ (7) Trustee's recommendations as to Confirmation
_____ Yes _____ No.

MATTERS IN ISSUE: OBJECTION TO CONFIRMATION: WILSON-BATES, Richard Greenwood, Attorney.

1. Plan does not list the correct amount of the creditors claim. Correct amount of claim is \$2201.20.
2. Plan does not provide for payment of the total claim of the creditor.
3. Debtor has failed to list the total indebtedness of Wilson-Bates.
4. Interest rate is unreasonably low.


PLAN CAN NOT BE CONFIRMED DUE TO THE OBJECTION ON FILE.
ANY ORDER OF CONFIRMATION WOULD REQUIRE AN INCREASE IN THE
DEFAULT OF LIBERTY. SAID AMOUNT IS \$2544.33.

PLAN PAYMENTS WILL HAVE TO BE INCREASED TO \$290.00 FOR 36 MONTHS.
THIS WOULD FUND THE PLAN AND CURE THE DEFAULT. IF WE GET THE
PLAN CONFIRMED WE CAN WORK WITH THE DEBTOR TO CURE THE DEFAULT

THAT WILL BE CAUSED BECAUSE OF THE PLAN PAYMENT INCREASE.

Debtors Plan Payments are CURRENT.

Dated: January 30, 2000



L.D. Fitzgerald, Trustee